

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

App#: 10/748,103
Applicant: Michael Gordon
Filed: 12/29/2003
Title: MULTI-WALL HEAT EXCHANGER FOR A WATER HEATER
TC/A.U.: 3753
Examiner: Teresa J. Walberg
Docket No.: BWC-106US

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 C.F.R. §§ 1.97 and 1.98 and to the duty of disclosure set forth in 37 C.F.R. § 1.56, the Examiner in charge of the above-identified application is requested to consider and make of record the references listed on the PTO/SB/08a submitted herewith. A copy of the references listed on the PTO/SB/08a, other than U.S. patents, is enclosed.

Although the information submitted herewith may be "material" to the Examiner's consideration of the subject application, this submission is not intended to constitute an admission that such information is "prior art" as to the claimed invention.

In accordance with 37 C.F.R. § 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made.

The Examiner is also invited to consider the subject matter of co-pending Application Nos. 11/024,926 and 10/677,038.

More than three months have elapsed since the filing of the above-referenced application and/or a first (non-Final) Official Action has been received. No Final Action or Notice of Allowance has yet been received and it is presumed that none has yet been mailed. Accordingly, as more specifically indicated below, a fee as required by 37 C.F.R. § 1.17(p) is provided herewith.

11/25/2005 SFELEKE1 00000084 10748103

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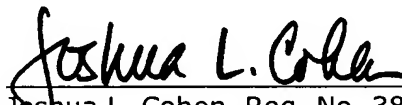
STATEMENT

The undersigned hereby states that

☐ each item of information disclosed in the Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the Information Disclosure Statement.

☐ no item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and to the knowledge of the person signing this statement after making reasonable inquiry, no item of information contained in the Information Disclosure Statement was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months before the filing of the Information Disclosure Statement.

Respectfully submitted,



Joshua L. Cohen, Reg. No. 38,040
Brett J. Rosen, Reg. No. 56,047

JLC/BJR/drm

Enclosures: PTO/SB/08a
(1) References
Transmittal Form

Dated: November 23, 2005

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The Commissioner for Patents is hereby authorized to charge payment to Deposit Account No. 18-0350 of any fees associated with this communication.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on: November 23, 2005


Denise R. Marshall

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

SHEET 1 of 1

Complete if Known

Application Number	10/748,103
Filing Date	12/29/2003
First Named Inventor	Michael Gordon
Art Unit	3753
Examiner Name	Teresa J. Walberg
Attorney Docket No.	BWC-106US

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number	Publication Date (MM-DD-YYYY)	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number - Kind Code ² (if known)			
		US-149,361	04-07-1874	John Van	entire document
		US-591,505	10-12-1897	W. L. Shepard et al.	entire document
		US-1,062,015	05-20-1913	Nathan C. Lane	entire document
		US-1,560,528	11-10-1925	Frank G. Baum	entire document
		US-1,611,764	12-21-1926	Louis R. Mendelson	entire document
		US-1,717,490	06-18-1929	Robert L. Blanding	entire document
		US-1,762,522	06-10-1930	Robert E. Newell	entire document
		US-1,805,321	05-12-1931	Herbert G. Ullman	entire document
		US-1,921,259	08-08-1933	Charles A. Olson	entire document
		US-2,051,311	08-18-1936	Robert E. Moore	entire document
		US-2,098,211	11-2-1937	Herman E. Schulse	entire document
		US-2,798,744	07-9-1957	Joseph Budnick, et al.	entire document
		US-3,844,948	10-29-1974	Harry Dennis Burke et al.	entire document
		US-4,005,681	02-01-1977	George E. Lockett	entire document
		US-4,036,621	07-19-1977	Paul F. Burton et al.	entire document
		US-4,143,816	03-13-1979	David A. Skadeland	entire document
		US-4,201,264	05-06-1980	Michael H. Platt	entire document
		US-4,272,667	06-09-1981	Edward Golowacz	entire document
		US-4,318,781	03-09-1982	Tomimaru Iida	entire document
		US-5,787,722	08-04-1998	Robert E. Jenkins	entire document
		US-5,971,444	10-26-1999	Brent C. Hawkins	entire document
		US-6,098,705	08-08-2000	Byeong-Sun Kim	entire document
		US-6,789,615	09-14-2004	Bernd Michelfelder et al.	entire document
		US-2003/0226716	12-11-2003	Randall J. Ploeger	entire document

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date (MM-DD-YYYY)	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ - Number ⁴ - Kind Code ⁵ (if known)				
		EP 0 108 525 A1	05/16/1984	Richard W. Sievers, et al.	entire document	<input type="checkbox"/>
						<input type="checkbox"/>

Examiner
SignatureDate
Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

¹Applicant's unique citation designation number (optional).

²See Kind Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04.

³Enter Office that issued the document, by the two-letter code (WIPO Standard St.3).

⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document.

⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible.

⁶Applicant is to place a check mark here if English language translation is attached.

The collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.